

**EIGHTY-FIRST LEGISLATIVE DAY  
THURSDAY, MARCH 29, 2007**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Bradford, Thayn. Total -- 2.

Total -- 70.

Prayer was offered by Representative Luker.

The Pledge of Allegiance was led by Jacob Uhlenkott, Page.

**Approval of Journal**

March 29, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eightieth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 28, 2007

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 56**, as amended in the Senate, and **H 98**

Very truly yours,  
/s/ C. L. "BUTCH" OTTER  
Governor

March 28, 2007

Mr. Speaker:

I transmit herewith enrolled **S 1123**, as amended, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1123**, as amended, as amended in the House, and, when so signed, ordered it returned to the Senate.

March 29, 2007

Mr. Speaker:

I transmit herewith enrolled **S 1243** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1243** and, when so signed, ordered it returned to the Senate.

March, 28, 2007

Mr. Speaker:

I return herewith **H 121** which has passed the Senate, the Governor's Veto notwithstanding.

WOOD, Secretary

**H 121** was referred to the Judiciary, Rules, and Administration Committee for preparation of a Certificate of Passage over the veto of the Governor.

**Report of Standing Committees**

March 29 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have attached a Certificate of Passage over the veto of the Governor to **H 121**.

CLARK, Chairman

The Speaker announced he was about to sign the Certificate of Passage over the veto of the Governor and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 335  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2008; AND AUTHORIZING TWO ADDITIONAL FULL-TIME EQUIVALENT POSITIONS.

**H 335** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

**Report of Standing Committees**

March 29, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 335**.

CLARK, Chairman

**H 335** was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 330** and **H 334**, by Appropriations Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 335** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 335** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmundson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Durst. Total -- 1.

Absent and excused -- Bradford, Thayn. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 335** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 335** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmundson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Lake, LeFavour(Herzfeld), Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- Barrett, Labrador, Mortimer. Total -- 3.

Absent and excused -- Bradford, Thayn. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 335** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 334** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 334** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmundson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Durst. Total -- 1.

Absent and excused -- Bradford, Thayn. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 334** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 334** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Harwood, Henbest, Henderson, Jaquet, Killen, King, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 62.

NAYS -- Bayer, Clark, Hart, Kren, Shepherd(8), Vander Woude. Total -- 6.

Absent and excused -- Bradford, Thayn. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 334** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### **Consideration of Messages from the Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 28, 2007

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 237**

Very truly yours,  
/s/ C. L. "BUTCH" OTTER  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 28, 2007

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting to the Office of the Secretary of State the following House bill which will be allowed to become law without my signature:

**H 200**

within the time limited by law.

Very truly yours,  
/s/ C. L. "BUTCH" OTTER  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 29, 2007

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

**H 217**

Very truly yours,  
/s/ C. L. "BUTCH" OTTER  
Governor

Mr. Moyle moved that the House recess until 1 p.m.  
Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS

Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Bradford, Luker, Thayn. Total -- 3.  
Total -- 70.

Prior to recess, the House was at the Fourth Order of Business.

#### **Consideration of Messages from the Governor and the Senate**

There being no objection, the House advanced to the Seventh Order of Business.

#### **Motions, Memorials, and Resolutions**

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of **H 330** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 330** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Marriott, Mathews, McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bradford, Henbest, Luker, Moyle, Thayne. Total -- 5.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 330** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

Pursuant to Rule 38(3), Mr. Roberts disclosed a conflict of interest regarding **H 330**.

The question being, "Shall **H 330** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Marriott, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Trail, Wills, Wood(27), Mr. Speaker. Total -- 52.

NAYS -- Barrett, Bayer, Bock, Durst, Hart, Harwood, Henbest, Mathews, McGeachin, Mortimer, Smith(24), Vander Woude. Total -- 12.

Absent and excused -- Bedke, Bradford, Luker, Moyle, Thayne, Wood(35). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 330** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the

#### Governor and the Senate

#### OFFICE OF THE GOVERNOR

Boise

March 29, 2007

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

#### H 111

/s/ Very truly yours,  
C. L. "BUTCH" OTTER  
Governor

March 29, 2007

Mr. Speaker:

I transmit herewith **S 1225** and **S 1228** which have passed the Senate.

WOOD, Secretary

**S 1225** and **S 1228** were filed for first reading.

March 29, 2007

Mr. Speaker:

I return herewith **H 210**, as amended, as amended, and **H 222** which have passed the Senate.

WOOD, Secretary

**H 210**, as amended, as amended, and **H 222** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

#### Report of Standing Committees

March 29, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 210**, as amended, as amended, and **H 222**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 210**, as amended, as amended, and **H 222**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

**S 1225** and **S 1228**, by Finance Committee, were introduced,

read the first time by title, and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1225** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1225** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- Durst. Total -- 1.

Absent and excused -- Bradford, Luker, McGeachin, Thayn. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1225** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1225** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Luker, McGeachin, Thayn.

Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1225** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1228** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1228** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour(Herzfeld), Loertscher, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- Durst. Total -- 1.

Absent and excused -- Bradford, Luker, McGeachin, Thayn. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1228** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1228** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour(Herzfeld), Loertscher, Mathews, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 57.

NAYS -- Barrett, Clark, Hart, Harwood, Lake, Marriott, Mortimer, Moyle, Smith(24). Total -- 9.

Absent and excused -- Bradford, Luker, McGeachin, Thayne. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1228** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Friday, March 30, 2007. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 6:15 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk